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Jan. 30

Dr. William H. Lee
Medical Coordinator of Civil Defense
Frisbie Memorial Hospital
Rochester, New Hampshire

Dear Dr. Lee:

In reply to your letter of January 23, 1953, please be advised that it is the opinion of this office that the administration of blood transfusions and intravenous fluid therapy constitutes the practice of medicine within the definition set forth in Revised Laws (1942), chapter 250, section 1, which reads as follows:

"Any person shall be regarded as practicing medicine under the meaning of this chapter who shall operate on, prescribe for or otherwise treat any human ailment, physical or mental."

The practice of medicine is prohibited except by or under the direction of registered and licensed practitioners by Revised Laws, chapter 250, section 21. While such therapy may be administered by nurses under the supervision and ultimate responsibility of any properly licensed practitioner, it is recognized that many of the situations contemplated by the civil defense program would not permit such supervision, with consequent risk that emergency aid to save human life might be legally prohibited.

This difficulty could be resolved by appropriate legislation.

With every good wish.

Sincerely,

Louis C. Wyman
Attorney General

W/d